

Cohasset Mariner

The Mariner (and supplements) is a paid circulation newspaper published every Thursday at 541 Plain St., Marshfield, Mass. 02050 for and about the residents of Cohasset. Telephone 545-3950 or 837-3500. Mailing address: Box 71, Cohasset, Mass. 02050. Second class postage paid at Marshfield, Mass. 02050.

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As The Mariner goes to press Tuesday night, all news and advertising copy must be received by Monday at 5 p.m. Readers are invited to submit personal items, accounts of social functions, meetings, weddings and engagements. Photographs (black and white glossy) are also welcome.

Subscription rates: in-town \$8 for one year and \$14 for two years; out-of-town \$10 for one year and \$7 for nine months.

Postmaster: Send Form 3579 to Box 682, Marshfield, Mass. 02050.

[USPS455-390]

Editorial

People Problem

Gilbert Tower inundated **The Mariner** with four articles this week in which he made various arguments in support of home rule as it pertains to The Wetlands Act. He cited reasons why the planning board should expand its membership from five to nine individuals.

As usual, we were unable to publish all of his opinions in this week's issue of **The Mariner**. We did publish (see page 4) his letter taking exception to The Wetlands Act. And this is our response.

The political slogan synonymous with the American Revolution, as almost every schoolchild knows, is "No Taxation Without Representation." The slogan applies not just to taxation but to all actions by government that affect the lives of people.

However, that principle is in trouble with the modern world. Small towns and cities are only beginning to regard themselves as accountable for actions they take beyond or within their own boundaries. But there is only token recognition of the fact that we are all tied to the same life-support system.

"The people" complain about Straits Pond. But the only real problem with Straits Pond is — the people. The Coastal Zone Management grant recently awarded for study of the pond, will research technical data for short and long-term restoration of the pond, which "the people" destroyed.

At present, Straits Pond is a large cesspool. Not only do septic systems run into the pond, but culverts drain surface water into the pond.

We disagree with Mr. Tower's statement that "The Wetlands Act result has been to paralyze salt marshes by the attachment of the restrictions to the deeds of parcels of land in which there are areas of salt marsh." He adds: "Those restrictions are in effect and tie up the salt marshes so as to prevent them from being put to any use beneficial to mankind."

Ninety percent of all marine life is concentrated above the continental shelf next to land. This area represents the home of 90 percent of all marine life. This area is also an area of concentrated dumping and an outlet of all sewers and polluted river mouths.

It may take another generation before mankind begins to realize fully that the ocean is just another big lake, landlocked on all sides. And the marshes and the Straits Ponds are the Ocean's life blood.

We agree with Mr. Tower that the Wetlands Act had relieved us of charting our local, immediate destinies — had taken away our "home rule." But then we have been such despots.



Around Town Hall

DISCLOSURE BILL

"We'll fight it all the way," Selectman Chairman Arthur Clark said of the proposed bill which would require local officials to disclose their financial status and interests. "It's hard enough to find people to serve on town boards," Clark added. Other town officials appear equally unhappy.

SPECIAL PERMIT

Developer, David Bowering, had applied to the planning board for a special permit to develop three homes on Straits Pond across from Howe Road. Bowering told planners last week that all three septic systems perk and are out of the flood plain.

According to Bowering, the board of health inspector did the perks. Bowering plans to have the three lots use a common driveway.

POT HOLE

Selectmen are investigating a claim by Ms. Gertrude Fishwick of Scituate that her son's car received damages of \$116.48 when it hit an unmarked pot hole on Stockbridge Street.

APPOINTMENT

Kenneth Sargent was appointed to the historical commission to fill a vacancy created by the resignation of Mrs. Avis Sweeney. His term will expire in 1981.

RESIGNATION

The resignation of R.J. Rotchford as assistant gas and plumbing inspector was accepted by selectmen last week. The new appointment



will be made by the building inspector.

HUMPHRIES RETAINED

Selectmen were notified last week that the board of water commissioners voted recently to retain the services of Atty. Charles Humphreys as special counsel for the water improvement program.

PROPOSED CUTBACKS

President Jimmy Carter will soon hear from selectmen regarding their concern of the effect any proposed cutbacks planned at the General Dynamics Quincy shipyard might have on the economy of the area. The South Shore Chamber of Commerce predicts the work force at the shipyard will drop from 4,700 to 400 by this time next year.

INTERVIEWED

Both John Roy and Jeremiah Delaney were interviewed by selectmen last week for an opening on the board of appeals.

SEA WALL REPAIRS

Selectmen planned to meet with the finance committee

Tuesday (press day for us) in order to request a transfer of \$4,169 from the advisory committee to repair sea walls along the harbor.

The April annual town meeting appropriated \$15,000 for the deteriorating sea wall repairs along the harbor, but the lowest bid submitted for the work was \$19,169 and selectmen could not proceed with advertising for the work.

If the board had decided to wait until the fall special town meeting for money from free cash, weather conditions might have delayed the work until Spring, Selectmen Chairman Arthur Clark pointed out.

REP. MURRAY

In a statement released this week, State Representative Mary Jeanette Murray, R-Cohasset, said while she was pleased that each of her towns (Cohasset, Hingham, Hull) is receiving extra revenue from the state, "I feel the amount returned should be still greater."

Rep. Murray said she voted against the new educational formula which has allowed the state to distribute excess funds to cities and towns in a different manner than in the past because "It has decreased the amount of return gained by each town in my district as it is geared to cities, and not towns."

The approximate extra revenue derived by each town is as follows: Cohasset \$57,782, Hingham \$174,039 and Hull \$178,621.

Taking Legal Rights

To the Editor:

Imagine a young lady strolling down the street swinging a handbag. A youth comes along and sees the handbag. He knows it contains something he wants very much, so he snatches the handbag and makes away with it.

That analogy illustrates perfectly how a Massachusetts state official grabbed away from the Cohasset Planning Board its right and duty to do some town planning "in connection with the uses to be permitted, or not permitted, in connection with the town's salt marshes. The snatching was implemented by a state law known as the Wetlands Restrictive Act, G.L. Chapter 130-Section 105. When words are omitted which are not essential the "Act" reads as follows:

"The commissioner — may — adopt amend, modify or repeal orders restricting or prohibiting dredging, filling, removing or otherwise altering or polluting, coastal wetlands."

The reason given for the granting of that authority to the commissioner was "— for the purpose of promoting the public safety, health and welfare, and protecting public and private property, wildlife and marine fisheries —"

That pretended to be the reason for the "Act" but it was not the real reason. The real reason is disclosed by

Letters

what the "Act" accomplishes. It grabs away from the town's planning board its legal right to prescribe the uses which the town wishes to be permitted in the districts described by the zoning bylaw. Furthermore the law places in the hands of the commissioner the right to prevent dredging and filling of salt marshes.

The snatching away of that right from the town's planning board and the conferring of that right to the state-appointed commissioner is clearly a violation of the "home rule" amendment to the Constitution. Therefore it is null and void and meaningless.

However its result was to paralyze salt marshes by the attachment of the restrictions to the deeds of parcels of land in which there are areas of salt marsh. Those restrictions are in effect and tie up the salt marshes so as to prevent them from being put to any use beneficial to mankind.

The next step should be to return the handbag to the lady, or in other words to remove the restrictions from the deeds. It will be evident from a careful reading of the legislation that the matter is very involved and difficult for the ordinary person to follow.

In the above simplification

the words have been omitted which obscure the real meaning of the law. It is a clever and tricky piece of legislation. When it was proposed by Arthur W. Brownell, Jr., Commissioner of Natural Resources, it was accepted by the Legislative Committee on Natural Resources without an environmental impact study.

It was evidently presumed by that committee that the legislation proposed by Brownell was proper, so that it unfortunately became a law. The real purpose and meaning of the law is obscured by a lot of verbiage. If that has not been made evident by the above, please read the law carefully and see the real meaning of it which is so well concealed. Now the law is like an empty shotgun cartridge which has been fired. Now the problem is to remove the bullet.

Brownell was determined to restrict all salt marshes without making any exceptions and without discriminating. His intention to protect fisheries was commendable but he carried his method too far. In Cohasset it is desired to dredge Whale Meadow to deepen it for more boat moorings. The carrying out of that project is being prevented by the restrictions on deeds. Concurrently there is a Coastal Zone Management Author-

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